

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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|--|---|-------------------------------------|
| KYLE VODDEN, individually and on behalf of all others similarly situated, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil Action No.: 1:20-cv-03856-PAE |
| |) | |
| WW INTERNATIONAL, INC., |) | |
| |) | |
| |) | |
| |) | |
| Defendant. |) | |

NOTICE OF DEFENDANT WW INTERNATIONAL, INC.’S MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Maureen Martin and the exhibits appended thereto, and the Declaration of Kristin Lockhart and the exhibit appended thereto, Defendant WW International, Inc. (“WW”), by and through its undersigned counsel, hereby moves this Court before the Honorable Paul E. Engelmayer, United States District Judge for the Southern District of New York, 40 Foley Square, New York, NY 10007, for an order, pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, dismissing with prejudice all claims asserted in this action against WW, and granting such other relief as the Court deems just and proper. Defendant respectfully requests an oral hearing upon its motion at a time to be set by the Court.

Dated: August 3, 2020

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Terence P. Ross

Terence P. Ross

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Counsel for WW International, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of August 2020, I caused a true and correct copy of the foregoing Notice Of Defendant WW International, Inc.'s Motion To Dismiss to be filed electronically using the CM/ECF System, which will then send a notification of such filing (NEF) to all counsel of record in this lawsuit.

Dated: August 3, 2020

/s/ Terence P. Ross

Terence P. Ross